

IN THE SUPREME COURT

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

OF THE

OCT 25 2019

STATE OF SOUTH DAKOTA

Shirley A. Johnson Legal
Clerk

* * * *

CHARLES RUSSELL RHINES,
Plaintiff and Appellant,

ORDER DENYING MOTION
FOR STAY OF EXECUTION

vs.

#29083

SOUTH DAKOTA DEPARTMENT OF
CORRECTIONS, and MIKE LEIDHOLT,
Secretary, South Dakota
Department of Corrections,
Defendants and Appellees.

Appellant having served and filed a motion for stay of execution, and appellees having served and filed a response thereto, and the Court having considered said motion and response and being fully advised in the premises, now, therefore, it is

ORDERED that the motion for stay of execution be and it is hereby rendered moot and denied on that basis. *Rhines v. S.D. Dep't. of Corr.*, 2019 S.D. 59, ¶ 34 n.12, __N.W.2d__, __n.12.

DATED at Pierre, South Dakota this 25th day of October, 2019.

BY THE COURT:

David Gilbertson

David Gilbertson, Chief Justice

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)

(Justices Janine M. Kern and Patricia J. DeVaney disqualified.)

PARTICIPATING: Chief Justice David Gilbertson and Justices Steven R. Jensen and Mark E. Salter and Circuit Court Judges Michelle K. Comer and Kent Shelton.